

1

2

3

4 UNITED STATES DISTRICT COURT  
5 NORTHERN DISTRICT OF CALIFORNIA

6

7

8

9

10

11

FELIKS KUBIN, et al.,

Plaintiffs,

v.

ABODE SERVICES AGENCY, et al.,

Defendants.

Case No. 18-cv-00658-PJH

**ORDER ADOPTING MAGISTRATE  
JUDGE'S REPORT AND  
RECOMMENDATION**

Re: Dkt. No. 6

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

The court has reviewed Magistrate Judge Maria-Elena James' Report and Recommendation Re: Dismissal of Complaint Under 28 U.S.C. § 1915(e)(2). No objections to Judge James' report and recommendation were filed. The court finds the report correct, well-reasoned and thorough, and adopts it in every respect. Accordingly, the complaint is DISMISSED WITH LEAVE TO AMEND, except with respect to plaintiffs' claim based on 5 C.F.R. Part 2635.702, that claim is DISMISSED WITH PREJUDICE.

Any amended complaint must be filed by March 30, 2018, and may not restate a claim premised on 5 C.F.R. Part 2635.702. Additionally, no new claims or parties may be added without leave of court.

**IT IS SO ORDERED.**

Dated: March 2, 2018



PHYLLIS J. HAMILTON  
United States District Judge